

**Assembly Bill No. 1545**

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Passed the Assembly    September 11, 1995

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*Chief Clerk of the Assembly*

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Passed the Senate    August 24, 1995

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1995, at \_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



CHAPTER \_\_\_\_

An act to amend Sections 25523 and 25538.1 of, and to add Sections 25350.1 and 25526.6 to, the Government Code, relating to county property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1545, Knox. County property.

(1) Existing law generally authorizes counties to acquire and sell various types of real and personal property. Existing law also conditions the acquisition or sale of real property for specified public purposes, and the sale of surplus land owned by a local agency, on compliance with specified requirements.

This bill would state that nothing in the provisions authorizing the acquisition or sale of property by a county limits, restricts, or prohibits a county from complying with the conditions relating to the acquisition or sale of real property for public purposes, and the sale of surplus land owned by a local agency. It would specify that this statement does not constitute a change in, but is declaratory of, existing law.

(2) Existing law requires that the funds derived from the sale of county real property be used for capital outlay.

This bill would instead provide that the board of supervisors may use funds derived from the sale of county real property for the general purposes of the county, provided that the derived funds are used, in accordance with local, state, and federal law, for the purpose of the fund that had been the source for the acquisition of the property sold.

(3) Existing law authorizes the county board of supervisors to sell, exchange, quitclaim, or convey real property no longer necessary for the county if its estimated value is less than \$10,000 without complying with specified laws regulating the sale of county real property.

This bill would grant that authority to the board of supervisors of a county containing a population of



6,000,000 or more with respect to real property if its estimated sales price is less than \$100,000, and provide for final approval of the sales by the board.

(4) Existing law permits the board of supervisors, in counties containing 6,000,000 or more, to delegate to a county officer the sale or lease of county real property where the estimated value or total rent does not exceed \$75,000.

This bill would delete the dollar limitation with respect to the sale or lease of county real property by the authorized county officer, and provide for final approval of sales and leases by the board of supervisors.

*The people of the State of California do enact as follows:*

SECTION 1. Section 25350.1 is added to the Government Code, to read:

25350.1. (a) Nothing in this chapter limits, restricts, or prohibits a county from complying with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and Section 65402.

(b) This section does not constitute a change in, but is declaratory of, existing law.

SEC. 2. Section 25523 of the Government Code is amended to read:

25523. The board of supervisors may use funds derived from the sale for the general purposes of the county, provided that the derived funds are used, in accordance with local, state, and federal law, for the purpose of the fund that had been the source for the acquisition of the property sold.

SEC. 3. Section 25526.6 is added to the Government Code, to read:

25526.6. Whenever the board of supervisors of a county containing a population of 6,000,000 or more determines that any real property or interest therein belonging to the county is no longer necessary for county or other public purposes, and its estimated sales price does not exceed one hundred thousand dollars (\$100,000), the county may sell, exchange, quitclaim, or



convey that real property or interest therein in the manner and upon the terms and conditions approved by the board of supervisors without complying with any other sections in this article. The board of supervisors may, by ordinance, designate any county officer or officers as are deemed appropriate, to execute sales of the real property or interest therein, provided that notice of intention that the county officer or officers will execute the sale shall be posted in a public place for five working days prior to effecting the transfer and, at least 10 days prior to effecting the transfer, the notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the county and shall be mailed to any person requesting special notice, to any present tenant of the property, and to all owners of land adjoining the property. These sales shall be subject to final approval by the board of supervisors.

SEC. 4. Section 25538.1 of the Government Code is amended to read:

25538.1. In counties containing a population of 6,000,000 or more, the board of supervisors may, by ordinance, authorize any county officer as is deemed appropriate to take or perform any or all acts or actions permitted or required of the board by this article and by subdivision (a) of Section 8355 and Section 8357 of the Streets and Highways Code with respect to the sale or lease of any real property of the county. The authorization shall include detailed procedures governing the county officer in the exercise of that authority. These sales and leases shall be subject to final approval by the board of supervisors.



Approved \_\_\_\_\_, 1995

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*Governor*

